

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SARAH FALL and
STEVEN FALL,

Plaintiffs,

v.

Case No. 07-10480
Hon. Sean F. Cox

MNP CORPORATION,
OVIDON MANUFACTURING, L.L.C.,
and RICK VELLA,

Defendants.

**ORDER GRANTING DEFENDANTS' EMERGENCY MOTION
TO QUASH THE SUBPOENA ISSUED TO DETROIT NEWSPAPER AGENCY**

This matter is before the Court on Defendants' Emergency Motion to Quash the Subpoena Issued to Detroit Newspaper Agency.

The discovery cut-off date in this case was December 10, 2007. However, the parties submitted a stipulated order to amend the scheduling order extending the dates. The Court held a status conference on January 8, 2008, and made it clear that no dates in this case would be amended. The Court did not enter the parties' order. The Court also entered an order denying Plaintiffs' Emergency Motion for an extension of time to file a response to Defendants' summary judgment motion on January 31, 2008.

Nonetheless, on February 21, 2008, Plaintiffs issued a subpoena to the Detroit Newspaper Agency requesting documents. The subpoena requests:

ANY AND ALL RECORDS CONCERNING RANDY ALLISON INCLUDING BUT NOT LIMITED TO TOTAL PERSONNEL FILE. MR. ALLISON WAS EMPLOYEE IN HUMAN RESOURCES DEPARTMENT UNTIL 1997.

[Motion, Exhibit 3]. Randy Allison is not a party in this case. He was the MNP Corporation employee asked to investigate Plaintiff Sarah Fall's complaints of harassment. Defendants claim they received the subpoena on February 26, 2008.¹ The subpoena requests the documents be produced to Plaintiffs' counsel on March 6, 2008 at 9:00 a.m.

Because Plaintiffs issued the subpoena well after the close of discovery, even after the Court's clear indication that the dates set in this case were to be followed, Defendants' Motion is **GRANTED**; Plaintiffs' subpoena to the Detroit Newspaper Agency is hereby **QUASHED**; and the requested documents will not be produced without an order of the court.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: March 5, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 5, 2008, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager

¹Defendants do not address why they did not bring this motion sooner.